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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States Of America,)	Case No. 2:20-cr-00026-KJD-NJK
Plaintiff,)	Order Granting
)	<u>Stipulation To Continue Defendant</u>
vs.)	<u>Guerrero's Initial Appearance and</u>
)	<u>Arraignment and Plea</u>
Anthony Guerrero,)	
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED AND AGREED by and between, Nicholas A. Trutanich, United States Attorney, District of Nevada, CHRISTOPHER LIN, Assistant United States Attorney, representing the United States of America, and LOUIS SCHNEIDER, ESQ., representing Defendant GUERRERO, that the Initial Appearance/Arraignment and Plea in the above captioned case, which is currently scheduled for March 30, 2020 at 2:30 p.m., be continued and reset to a date convenient for the Court, but no earlier than 30 days.

1. On March 16, 2020, the Chief Judge of the U.S. District Court for the District of Nevada issued Temporary General Order 2020-03, which found that due to the outbreak of the coronavirus disease 2019 ("COVID-2019") in the District of Nevada, the declaration by the Governor of the State of Nevada of a public health emergency

1 due to the spread of COVID-19 in Nevada, and the declaration of local emergencies
2 by local governments due to COVID-19, including Clark County, the Court has
3 sustained “reduced ability to obtain an adequate spectrum of jurors,” and it noted the
4 effects of public health recommendations, including “social distancing measures.”
5 General Order 2020-03 accordingly continued all civil and criminal trials until April
6 10, 2020, pending further order of the Court and found that “the ends of justice are
7 best served by ordering the continuances, which outweighs the best interests of the
8 public and any defendant’s right to a speedy trial under 18 U.S.C. § 3161(h)(7)(A).”

9 2. On March 19, 2020, the Chief Judge of the U.S. District Court for the District of
10 Nevada issued Temporary General Order 2020-04 (collectively with General Order
11 2020-03, “the General Orders”), which noted that “the COVID-19 pandemic has
12 continued to spread,” resulting in the need for “more aggressive social-distancing
13 measures.” The Court noted further that, “[o]n March 17, 2020, the Governor of the
14 State of Nevada ordered the closure of many business establishments and strongly
15 encouraged all citizens to stay home.” Accordingly, the Court ordered the temporary
16 closure of the Clerk’s office, and implemented other changes, including “striving to
17 eliminate in-person court appearances.” In the event any hearing must go forward,
18 the Court will conduct the hearing via video or teleconference. The Court will vacate
19 or amend GO 2020-04 no later than April 30, 2020.

20 3. On February 18, 2020, a Grand Jury of this district charged defendant Guerrero and
21 co-defendant Henry Salcido with Distribution of a Controlled Substance, in violation
22 of Title 21, United States Code, Sections 841(a)(1) and 841(b)(2). On or about March
23 5, 2019, defendant Guerrero appeared before a Magistrate Judge in the Northern
24 District of Georgia for a Rule 5(c)(3) hearing. Defendant Guerrero was released on

1 conditions at this hearing. On March 6, 2020, the Honorable Nancy J. Koppe ordered
2 defendant Guerrero to appear before her on March 30, 2020 at 2:30 p.m. for an initial
3 appearance/arraignment and plea.

4 4. In order for defendant Guerrero to attend the March 30, 2020 hearing, he must travel
5 from Georgia to Nevada and intends to do so by commercial aircraft.

6 5. Accordingly, based on the public health emergency brought about by the COVID-
7 2019 pandemic, and the required social-distancing measures as recognized in the
8 General Orders; as well as the health risks to defendant Guerrero and any of the
9 participants of the scheduled March 30, 2020 hearing, the parties agree to continue
10 the currently scheduled initial appearance/arraignment and plea for a period of at
11 least 30 days. Defendant Guerrero also stipulates to waive all speedy trial claims or
12 any constitutional claims that may arise because of this delay.

13 6. This continuance is not sought for purposes of delay, but to account for the necessary
14 social-distancing in light of the COVID-2019 public health emergency.

15 7. Denial of this request could result in a miscarriage of justice, and the ends of justice
16 served by granting this request outweigh the best interest of the public and the
17 defendant in a speedy trial.

18 8. The defendant is at liberty and agrees to this continuance.

19 DATED this 27th day of March, 2020.

20 NICHOLAS A. TRUTANICH
21 United States Attorney

22 /s/ Christopher Lin
CHRISTOPHER LIN
Assistant United States Attorney

/s/ Louis Schneider
LOUIS SCHNEIDER
Counsel for Defendant GUERRERO

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 United States Of America,
4 Plaintiff,

5 vs.

6 Anthony Guerrero,
7 Defendant.

) Case No. 2:20-cr-00026-KJD-NJK
)
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Findings and Order on Stipulation
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9 Based on the pending Stipulation between the defense and the government, and good
10 cause appearing therefore, the Court hereby finds that:

- 11 1. To account for the necessary social-distancing in light of the COVID-2019 public
12 health emergency, to allow the defense adequate time to prepare following the
13 resolution of this public health emergency, and because the defendant must travel
14 across the country to attend this hearing, the initial appearance/arraignment and plea
15 in this case should be continued.
16 2. The parties agree to this continuance.
17 3. The defendant is at liberty and agrees to this continuance.
18 4. This continuance is not sought for purposes of delay.
19 5. Denial of this request could result in a miscarriage of justice, and the ends of justice
20 served by granting this request outweigh the best interest of the public and the
21 defendants in a speedy trial.

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1 THEREFORE, IT IS HEREBY ORDERED that the initial appearance/arraignment
2 and plea in the above-captioned matters currently scheduled for March 30, 2020 at 2:30 p.m.,
3 be vacated and continued to a date and time convenient to this court, that is
4 May 12, 2020, at 2:30 p.m., in Courtroom 3C.

5 DATED: March 27, 2020.

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HONORABLE NANCY J. KOPPE
United States Magistrate Judge